

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GOFF DAIRY, LLC,

Plaintiff,

v.

No. 11-cv-0966 JCH/SMV

**MARK A. HENRY, JR., doing business as
HENRY FARMS,**

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**


THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. 40] ("PF&RD"), issued on July 30, 2013. On reference by the Court, [Doc. 21], the Honorable Stephan M. Vidmar, United States Magistrate Judge, recommended that Plaintiff's Motion for Default Judgment [Doc. 28] be granted in part and denied in part, and that default judgment be entered in favor of Plaintiff in the amount of \$852,984, plus pre- and post-judgment interest at 8.75%. [Doc. 40] at 5–6. No objections to the PF&RD have been filed, and the time for doing so has passed.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. 40] are **ADOPTED**.

IT FURTHER ORDERED that Plaintiff's Motion for Default Judgment [Doc. 28] is **GRANTED in part**, such that default judgment be entered in favor of Plaintiff in the amount of \$852,984, plus pre-judgment interest at 8.75%, to wit \$142,522.56 [\$204.48 per day, starting Oct. 10, 2011 (date Complaint was filed) to today, August 20, 2013, plus post-judgment interest at 8.75%.

IT IS FURTHER ORDERED that Plaintiff's Motion for Default Judgment [Doc. 28] is **DENIED in part**, such that Plaintiff's request for default judgment with respect to attorney's fees, costs, and punitive damages is denied.

IT IS SO ORDERED.



JUDITH C. HERRERA
United States District Judge